## REMARKS

In the Office Action that was mailed on October 8, 2003, the Specification, Title, Abstract, and Drawings were objected to; and claims 1-7 were rejected under 35 U.S.C. § 102(e) as being anticipated by Stoodley (U.S. Patent No. 6,611,846) ("Stoodley"). The foregoing objections and rejections are respectfully traversed.

Claims 1-7 are pending in the subject application, of which claim 1 is the only independent claim.

### Objections to the Specification:

In item 3, on pages 2-3 of the Office Action, the examiner objected to the Specification on two grounds: (i) because the Specification does not contain a section entitled "Description of Related Art" that discusses the references submitted in the April 18, 2001 IDS, and (ii) because the subsection "Field of the Invention" of the section "BACKGROUND OF THE INVENTION" does not contain computer terminology.

In regard to item 3(i) of the Office Action, 37 C.F.R. § 1.77(b)(5) provides that "[t]he specification should include the following sections in order: ... Background of the invention." (emphasis added). MPEP § 608.01(a) provides that "[t]he following order of arrangement of specification elements is preferable in framing the nonprovisional specification ... (E) Background of the Invention. (1) Field of the Invention. (2) Description of the related art including information disclosed under 37 CFR 1.97 and 1.98." (emphasis added) Neither the Rules nor the MPEP require the specification to include a subsection entitled "Description of Related Art." The Applicant has chosen not to include such a subsection.

In regard to item 3(ii) of the Office Action, the Applicant is unsure what the examiner means by "[t]he section 'Field of the Invention' of BACKGROUND OF THE INVENTION is does [sic] not contain computer terminology." (Office Action, p. 3, item 3(ii)). The quoted portion of the Office Action is unclear because the examiner did not explain the significance of the inclusion of "computer terminology" in the subsection "Field of the Invention." In addition, neither the Rules nor the MPEP require or even refer to "computer terminology" in regard to suggested Specification contents.

Therefore, the Applicant respectfully submits that the examiner withdraw the objections to the Specification.

## Objection to the Title:

The Applicant agrees with the examiner's suggested Title, and has amended the same herein. Therefore, the Applicant respectfully requests that the examiner withdraw the objection thereto.

## Objections to the Abstract:

In item 5, on pages 3-4 of the Office Action, the examiner objected to the Abstract as being greater than 150 words in length. The Abstract is amended herein to reduce the length thereof to not be greater than 150 words, in compliance with 37 C.F.R. § 1.72(b).

In item 6, on page 4 of the Office Action, the examiner objected to the Abstract "because it does not contain computer terminology and is not properly understood. Key terms involved in the invention like servers, clients, finger print device, etc., are missing in the abstract." (Office Action, p. 4). None of claims 1-7 of the subject application recite a server, a client, or a fingerprint device. MPEP § 608.01(b) does not require the Applicant to use "computer terminology" in computer-related inventions. Therefore, the Applicant respectfully declines to amend the Abstract to include any of the foregoing terms.

The Applicant respectfully requests that the examiner withdraw the objections to the Abstract.

## Objections to the Drawings:

In item 7, on page 5 of the Office Action, the examiner objected to Figures 1-5 and required that the same be designated as "-- Prior Art -- because only that which is old is illustrated." The Applicant respectfully declines to amend Figures 1-5 to be labeled as Prior Art because the Applicant disputes such a conclusion. The Applicant respectfully asserts that Figures 1-5 illustrate various elements of the present invention. For example, Figure 3 is

described on page 8 of the Specification as "showing one embodiment of the individual information managing device according to the present invention." Therefore, the Applicant respectfully requests that the examiner withdraw the objections to Figures 1-5.

## Rejections of the Claims:

Stoodley and the present invention are completely different in purpose. Specifically, Stoodley relates to a system for storing and retrieving medical information using a computer to collect and analyze medical information on patients. In contrast, the present invention relates to an apparatus for disclosing patient information based on disclosure procedures specified by individual patients in order to protect individual patent information.

In addition, Stoodley and the present invention differ rather dramatically in structure. In Stoodley, a user obtains desired data by conducting a search based on a search criteria for some categories specified by the user on a search screen. For example, in Fig. 6(A) of Stoodley, there is shown a search screen including anatomy 182, pathology 184, and clinical presentation 186 as search categories, and the user inputs search criteria for each category on the screen. However, Stoodley does not disclose or suggest a system in which patient data is obtained by a search that is required to follow procedures similar to the "information disclosure procedures" specified by the patient to whom the patient data belongs, as in the present invention.

Conversely, in the present invention, patient data must be obtained by a process that needs to follow "information disclosure procedures" specified by the patient to whom the patient data belongs. For example, Figure 6 and the related discussion in the Specification show an information disclosure procedure table that is prepared for each patient, as an example of a table including "information disclosure procedures" according to the present invention. The contents of this table are decided by a patient to whom this table belongs. (see Specification, p. 15, lines 1-24). For example, in the present invention, if a user such as a doctor desires to obtain data of a patient, the data desired by the user must be disclosed to the user based on disclosure procedures that have been determined by the patient and recorded beforehand in a table like the one shown in Figure 6.

Because Stoodley does not disclose or suggest "an information disclosure procedure

assigned for each individual by each individual," as recited in independent claim 1 of the present invention, Stoodley consequently does not disclose or suggest the "disclosure procedure storing section" that stores such procedures or the "disclosure procedure executing section" that executes such procedures. Therefore, independent claim 1 of the subject application is patentably distinguishable from Stoodley. In addition, dependent claims 2-7 are allowable based on their dependency, directly or indirectly, from claim 1.
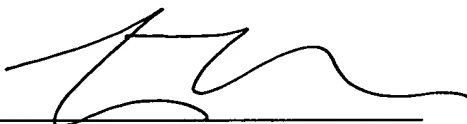
Withdrawal of the foregoing objections and rejections is respectfully requested.

There being no further objections or rejections, it is submitted that the application is in condition for allowance, which action is courteously requested. Finally, if there are any formal matters remaining after this response, the examiner is requested to telephone the undersigned to attend to these matters. If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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